Miller (NC)

Moore (KS)

Moore (WI)

Moran (VA)

Murphy (CT)

Murphy (NY)

Nadler (NY)

Napolitano

Neal (MA)

Oberstar

Murtha

Nve

Obey

Olver

Ortiz

Pallone

Pascrell

Payne

Peters

Pastor (AZ)

Perlmutter

Perriello

Peterson

Polis (CO)

Price (NC)

Rodriguez

Rothman (NJ)

Roybal-Allard

Ruppersberger

Sánchez, Linda

Ryan (OH)

Pomerov

Quigley

Rahall

Rangel

Reves

Ross

Rush

Salazar

Sarbanes

Pingree (ME)

Murphy, Patrick

Mollohan

Mr. MURPHY of New York, Madam Speaker, on rollcall No. 732, the Motion to Adjourn, had I been present, I would have voted "no."

MOTION TO GO TO CONFERENCE H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

Мs WASSERMAN SCHULTZ Madam Speaker, pursuant to clause 1 of rule XXII and by direction of the Committee on Appropriations, I move to take from the Speaker's table the bill (H.R. 2918) making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference asked by the Senate.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The gentlewoman from Florida is recognized for 1 hour.

WASSERMAN SCHULTZ. Ms. Madam Speaker, I move the previous question on the motion.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

#### RECORDED VOTE

Mr. ADERHOLT. Madam Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the motion.

The vote was taken by electronic device, and there were—ayes 240, noes 171, not voting 21, as follows:

# [Roll No. 733]

AYES-240 Chu Abercrombie Fattah Ackerman Clarke Filner Adler (NJ) Clay Foster Frank (MA) Altmire Cleaver Andrews Clyburn Fudge Arcuri Cohen Giffords Connolly (VA) Baca Gonzalez Gordon (TN) Baird Conyers Baldwin Cooper Grayson Green, Al Costa Barrow Costello Green, Gene Bean Becerra Courtney Griffith Berkley Crowley Grijalva Berman Cuellar Gutierrez Berry Cummings Hall (NY) Bishop (GA) Dahlkemper Halvorson Bishop (NY) Davis (AL) Hare Blumenauer Davis (CA) Harman Boccieri Hastings (FL) Davis (IL) Davis (TN) Boren Heinrich Herseth Sandlin Boswell DeFazio Boucher DeGette Higgins Brady (PA) DeLauro Hill Himes Braley (IA) Dicks Dingell Bright Hinchev Brown, Corrine Doggett Hinojosa Donnelly (IN) Butterfield Hirono Driehaus Hodes Cao Edwards (MD) Capps Holden Cardoza Edwards (TX) Holt Carnahan Ellison Hover Ellsworth Inslee Carney Carson (IN) Engel Israel Jackson (IL) Castor (FL) Eshoo Chandler Etheridge Jackson-Lee Childers Farr (TX)

Johnson, E. B. Kagen Kaniorski Kaptur Kennedy Kildee Kilpatrick (MI) Kilroy Kind Kirkpatrick (AZ) Kissell Klein (FL) Kosmas Kratovil Kucinich Langevin Larsen (WA) Larson (CT) Lee (CA) Levin Lewis (GA) Lipinski Loebsack Lofgren, Zoe Luián Lvnch Maffei Maloney Markey (CO) Markey (MA) Marshall Massa Matheson Matsui McCarthy (NY) McCollum McDermott McIntyre McMahon Meek (FL) Meeks (NY) Melancon Michaud

Aderholt Akin

Alexander

Bachmann

Barton (TX)

Austria

Bachus

Bartlett

Biggert

Bilbray

Blunt

Bonner

**Bilirakis** 

Blackburn

Bono Mack

Boozman

Boustany

Brady (TX)

Broun (GA)

Brown (SC)

Ginny

Buchanan

Burton (IN)

Burgess

Buver

Camp

Cantor

Capito

Carter

Castle

Coble

Cole

Dent

Dreier

Duncan

Ehlers

Fallin

Flake

Emerson

Cassidy

Chaffetz

Conaway

Crenshaw

Culberson

Deal (GA)

Davis (KY)

Diaz-Balart, L.

Diaz-Balart, M.

Coffman (CO)

Calvert

Campbell

Brown-Waite,

Johnson (GA)

#### NOES-171

Fleming McClintock Forbes McCotter Fortenberry McHenry Foxx McKeon Franks (AZ) McMorris Frelinghuysen Rodgers Mica Gallegly Garrett (NJ) Miller (FL) Gerlach Miller (MI) Gingrey (GA) Miller, Gary Gohmert Minnick Goodlatte Mitchell Moran (KS) Graves Guthrie Myrick Hall (TX) Neugebauer Nunes Harper Hastings (WA) Olson Heller Paul Hensarling Paulsen Herger Pence Hoekstra Petri Pitts Hunter Inglis Platts Poe (TX) Issa Jenkins Posey Price (GA) Johnson (IL) Johnson, Sam Putnam Jones Radanovich Jordan (OH) Rehberg King (IA) Reichert King (NY) Roe (TN) Rogers (AL) Kingston Kirk Rogers (KY) Kline (MN) Rogers (MI) Lamborn Lance Latham LaTourette Roskam LattaRoyce Ryan (WI) Lee (NY) Lewis (CA) Scalise Linder Schmidt LoBiondo Schock Lucas Luetkemeyer Sessions Lummis Shadegg Lungren, Daniel Shimkus Shuster  $\mathbf{E}$ Manzullo Simpson Marchant

McCarthy (CA)

McCaul

Schauer Schiff Schrader Schwartz Scott (GA) Scott (VA) Serrano Shea-Porter Sherman Shuler Sires Slaughter Smith (WA) Snyder Space Spratt Stupak Sutton Tanner Taylor Teague Thompson (CA) Thompson (MS) Tiernev Titus Tonko Towns Tsongas Van Hollen Velázquez Visclosky Walz. Wasserman Schultz Waters Watson Watt Weiner Welch Wexler Wilson (OH) Woolsey Wu Yarmuth

Schakowsky Sullivan Terry Tiahrt. Boehner Boyd Capuano Doyle

Sanchez, Loretta

Rohrabacher Rooney Ros-Lehtinen Sensenbrenner Smith (NE) Smith (TX) Souder

Stearns Tiberi Thompson (PA) Thornberry

Turner Upton Walden Wamp Westmoreland

Whitfield Wilson (SC) Wittman Wolf Young (AK) Young (FL)

#### NOT VOTING-

Barrett (SC) Granger Richardson Sestak Skelton Bishop (UT) Honda Mack McGovern Smith (NJ) Speier McNerney Delahunt Miller, George Stark Murphy, Tim Waxman

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during

the vote). Members have 2 minutes remaining in this vote.

#### □ 1831

Ms. ROS-LEHTINEN changed her vote from "aye" to "no."

Messrs. HALL of New York and SCOTT of Virginia changed their vote from "no" to "aye."

So the previous question was ordered. The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the motion.

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES LEGISLATIVE H.R. 2918. BRANCH APPROPRIATIONS ACT,

Mr. ADERHOLT. Madam Speaker, I have a motion at the desk.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Aderholt moves that the managers on the part of the House at the conference on the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 2918 be instructed as follows:

- 1. To insist on the provisions contained in section 209 of the House bill.
- 2. To disagree to any proposition in violation of clause 9 of Rule XXII which:
- (a) Includes any additional funding or language not committed to the conference;
- (b)Includes matter not committed to the conference committee by either House;
- (c) Modifies specific matter committed to conference by either or both Houses beyond the scope of the specific matter as committed to the conference committee.
- 3. To not record their approval of the final conference agreement (within the meaning of clause 12(a)(4) of House rule XXII) unless the text of such agreement has been available to the managers in an electronic, searchable, and downloadable form for at least 48 hours prior to the time described in

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from Alabama (Mr. ADERHOLT) and the gentlewoman from Florida (Ms. Wasserman Schultz) each will control 30 minutes.

The Chair recognizes the gentleman from Alabama.

Mr. ADERHOLT. Madam Speaker, I yield myself such time as I may consume.

I would like to focus attention upon a couple of important issues related to both the bill itself and on the majority's last-minute attempts to use this bill as a vehicle for a month-long continuing resolution.

Madam Speaker, we all know the fiscal year expires on September 30, which is a week from today. Because the House and Senate have yet to complete our annual appropriations work, we must pass a continuing resolution—which, of course, we call a CR—to keep the government operating in the interim time. If we do not pass a CR, or a continuing resolution, our Nation will face a potentially devastating government-wide shutdown.

Now I think we all can agree that shutting down the government, even in the worst-case scenario, is not the preferred option. However, by attaching the CR to this Legislative Branch appropriation bill, the majority is forcing Members to choose between voting for our own office budgets or voting for a government shutdown. The majority is also using this parliamentary gimmick to avoid certain debate or votes on the floor that would occur under the normal CR process. This, Madam Speaker, is simply not the reasonable or responsible kind of governing that our constituents have sent us here to Washington to do.

In addition, the Leg Branch bill is the first of five appropriation bills by both the House and Senate to begin the conference committee work process. As the ranking member of the Leg Branch Subcommittee, I feel this bill is very important. But moving this bill forward, even above homeland security funding, is not the proper way to put a priority on meeting the critical needs facing the American people at this time.

I'm sure my Republican colleagues will have more to say on that issue as we move forward in the process. That being said, the motion that I bring forward today would prevent any extraneous provisions, including a CR, from being attached to the Legislative Branch appropriation bill and would require 48-hour viewing before a floor vote occurs.

Also, Madam Speaker, there is another issue that I do think needs to be dealt with as our subcommittee goes to conference. This is the issue of staff-led tours in the Capitol. Since the opening of the Capitol Visitor Center, many Members have expressed concern over the handling of how House staff-led tours are conducted at this time. To address this concern, we have included in the House-passed bill section 209, which prohibits the elimination or the restriction of staff-guided tours of the Capitol, except for security purposes, of course. The motion I'm offering today would instruct the House conferees to insist on this provision in conference. It is imperative that our staff be able to lead tours for our constituents and that our constituents are able to properly see this beautiful building, especially allowing it to be viewed from different standpoints. Different States have different things that they like to point out in the United States Capitol, and I think that it is certainly important that we continue to be able to do this.

Madam Speaker, I urge my colleagues to adopt this motion to instruct.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, while I support some of the content of the motion to instruct, essentially what much of it does is it ties the hands of the conference committee and really essentially would prevent us from being able to ensure that the government would continue to run.

There is precedent for adding unrelated matters in conference reports. The leadership on the other side of the aisle did so in 2006, and our tradition and our preference in the House is to make sure the conferees have as much flexibility as possible to ensure that the government can continue to function

With that, I reserve the balance of my time.

Mr. ADERHOLT. I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. Obey).

Mr. OBEY. Madam Speaker, I want to fully support the comments of the gentlewoman from Florida. Some of the language in this motion is perfectly acceptable, but the most serious defect in the language is that it would simply tell the committee that it cannot do what the then-majority party did in September 2006.

In September 2006, the other party then in the majority—attached the continuing resolution to the Department of Defense appropriation bill. Only two Republican Members of the House voted against that. Mr. ADERHOLT voted for that process at that time, so did Mr. Lewis, so did Mr. BOEHNER, and so did Mr. CANTOR. So it would seem to me considerably ill-advised for this House to say that in order to keep the government open, we are not allowed to follow the very same procedure which was followed by the other side of the aisle and for which the gentleman voted.

I think that's enough said, and I thank the gentlewoman for the time.

Mr. ADERHOLT. Madam Speaker, I think what needs to be pointed out at this point is that as the minority here, we would like to see a clean CR passed. We were under the impression that there would be a clean CR that would be ready to be voted on tomorrow. There has been no effort by the majority to go ahead and bring this for a vote and to pass a clean CR. So that's what we would like to do. We would not like to see it attached to some other legislative vehicle but to simply pass a clean CR to make sure the government stays open. That's why I think we should do that, and we have this motion at the desk.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield 30 seconds to the gentleman from Wisconsin.

Mr. OBEY. Madam Speaker, let me say, there are only two instances in which this is not an absolutely straight, clean CR. We do make an exception for veterans. We fund them at a higher level than we would ordinarily fund them in the continuing resolution. Secondly, we do make an exception for the Census because 2010 is coming at us whether we agree on this House floor or not. Those are the only two legislative items that depart from the traditional CR.

The SPEAKER pro tempore. The time of the gentleman from Wisconsin has expired.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield an additional 30 seconds to the gentleman.

Mr. OBEY. Virtually every judgment made in the contemplated CR is the judgment which is simply that of the authorizing committee of jurisdiction, and that's what CRs are supposed to do.

Mr. ADERHOLT. I think it should be noted, the last time this happened, we were funding our troops and not funding ourselves. The bottom line is that the majority is forcing Members to choose between voting for our own office budgets or voting for a government shutdown. The majority is also using this parliamentary gimmick to avoid certain debate or votes on the floor that would occur under the normal CR process.

I reserve the balance of my time.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I yield myself such time as I may consume.

I think it's important to note that it is entirely appropriate to consider amending—at the point that we do—amending the CR to the Legislative Branch appropriations bill, which is esentially a government function. Our purpose in continuing to pursue that avenue would be to ensure that the government can continue to function.

In addition to that, because the legislative branch essentially has no significant differences of opinion, it really was the most appropriate vehicle and makes the most sense to utilize as a vehicle.

With that, I am prepared to yield back if the gentleman is.

### □ 1845

Mr. ADERHOLT. In closing, let me say that I think it's very important, again, that we don't force Members to choose between voting for our own office budgets and voting for a government shutdown. Why are we choosing this particular vehicle for a CR? It is my understanding that the Homeland Security bill is also ready to go, and to attach it to choosing our own budgets to fund the Federal Government I think is a mistake. That's why we're concerned about the direction the majority is going on this. Therefore, we

have this motion that would restrict this from being added to it.

At this point, we would ask that a clean CR be moved forward and, therefore, it would not be attached to the Legislative Branch bill.

I yield back the balance of my time. Ms. WASSERMAN SCHULTZ. I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. ADERHOLT. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The vote was taken by electronic device, and there were—yeas 191, nays 213, not voting 28, as follows:

[Roll No. 734] YEAS-191 Aderholt Frelinghuysen Murphy (NY) Akin Gallegly Murphy, Tim  $\widetilde{Garrett}(NJ)$ Alexander Myrick Altmire Gerlach Neugebauer Giffords Austria Nunes Bachmann Gingrey (GA) Nye Bachus Gohmert Olson Goodlatte Bartlett Paul Barton (TX) Graves Paulsen Biggert Guthrie Pence Hall (TX) Bilbray Perriello Bilira kis Harper Peters Hastings (WA) Bishop (UT) Petri Blackburn Heller Platts Hensarling Bonner Poe (TX) Bono Mack Herger Posey Hoekstra Boozman Price (GA) Boren Hunter Putnam Boustany Inglis Radanovich Brady (TX) Rehberg Jenkins Bright Reichert Broun (GA) Johnson, Sam Roe (TN) Brown (SC) Jones Rogers (AL) Jordan (OH) Brown-Waite Rogers (KY) Ginny Kennedy Rogers (MI) Buchanan King (IA) Rohrabacher Burgess King (NY) Rooney Ros-Lehtinen Burton (IN) Kingston Buyer Kirk Roskam Kirkpatrick (AZ) Calvert Royce Camp Kline (MN) Ruppersberger Campbell Kratovil Ryan (WI) Cantor Lamborn Scalise Cao Lance Schmidt Capito Latham Schock LaTourette Carter Sensenbrenner Cassidy Latta Sessions Castle Lee (NY) Shadegg Chaffetz Lewis (CA) Shimkus Childers Linder Shuster Clay LoBiondo Simpson Coble Lucas Smith (NE) Coffman (CO) Luetkemeyer Smith (TX) Cole Lummis Conaway Lungren, Daniel Souder Stearns Crenshaw Sullivan Culberson Mack Taylor Davis (KY) Manzullo Teague Deal (GA) Marchant Terry Dent Marshall Thompson (PA) Diaz-Balart, L. McCarthy (CA) Diaz-Balart, M. Thornberry McCaul McClintock Donnelly (IN) Tiberi Dreier McCotter Duncan McHenry Turner Upton Ehlers McIntyre Walden Ellsworth McMahon Emerson McMorris Wamp Westmoreland Rodgers Fallin Flake Mica Whitfield Wilson (SC) Fleming Miller (FL) Miller (MI) Wittman Forbes Fortenberry Miller, Gary Wolf Young (AK) Mitchell Foxx Franks (AZ) Moran (KS) Young (FL)

NAYS-213

Abercrombie Gutierrez Neal (MA) Hall (NY) Ackerman Oberstar Adler (NJ) Halvorson Obey Andrews Hare Olver Harman Arcuri Ortiz Hastings (FL) Pallone Baird Heinrich Pascrell Herseth Sandlin Pastor (AZ) Baldwin Barrow Higgins Payne Becerra. Hill Perlmutter Himes Berkley Peterson Pingree (ME) Hinchey Berry Bishon (GA) Hinoiosa. Polis (CO) Bishop (NY) Hirono Pomeroy Price (NC) Blumenauer Hodes Boccieri Holden Quigley Boswell Holt Rahall Rangel Boucher Honda Brady (PA) Hover Reves Braley (IA) Inslee Rodriguez Ross Rothman (NJ) Brown, Corrine IsraelJackson (IL) Butterfield Jackson-Lee Roybal-Allard Capps Cardoza (TX) Rush Ryan (OH) Johnson (GA) Carnahan Johnson (IL) Carney Salazar Carson (IN) Sánchez, Linda Kagen T. Castor (FL) Kaptur Sanchez, Loretta Chandler Kildee Kilpatrick (MI) Chu Sarbanes Clarke Schakowsky Kilrov Cleaver Kind Schauer Clyburn Kissell Schiff Klein (FL) Schrader Cohen Kosmas Connolly (VA) Schwartz Kucinich Scott (GA) Convers Scott (VA) Cooper Langevin Costa Larsen (WA) Serrano Shea-Porter Costello Larson (CT) Lee (CA) Courtney Sherman Crowley Levin Shuler Lewis (GA) Cuellar Sires Slaughter Cummings Lipinski Dahlkemper Loebsack Smith (WA) Lofgren, Zoe Davis (AL) Snyder Davis (CA) Lowey Space Davis (IL) Luján Spratt Davis (TN) Stupak Lynch DeFazio Maffei Sutton Maloney Markey (CO) DeGette Tanner Thompson (CA) DeLauro Markey (MA) Thompson (MS) Dingell Doggett Massa Tierney Matheson Driehaus Titus Edwards (MD) Matsui Tonko McCarthy (NY) Ellison Towns McCollum Tsongas Engel Eshoo McDermottVan Hollen Etheridge McNerney Velázguez Meek (FL) Visclosky Farr Fattah Meeks (NY) Walz Filner Melancon Wasserman Foster Michaud Schultz Frank (MA) Miller (NC) Waters Miller, George Fudge Watson Gonzalez Minnick Gordon (TN) Mollohan Weiner Moore (KS) Welch Gravson Green, Al Murphy (CT) Wexler Green, Gene Murphy, Patrick Woolsev Griffith Nadler (NY) Wu

## NOT VOTING-28

Yarmuth

Napolitano

Grijalva

Barrett (SC) Edwards (TX) Richardson Bean Granger Sestak Johnson, E. B. Berman Skelton Blunt Kanjorski Smith (N.I) Boehner McGovern Speier Bovd McKeon Stark Capuano Moore (WI) Waxman Delahunt Moran (VA) Wilson (OH) Dicks Murtha Doyle

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE The SPEAKER pro tempore (during the vote). Members have 2 minutes remaining in this vote.

#### □ 1910

Messrs. SCOTT of Georgia, STUPAK, Ms. CHU, Ms. LORETTA SANCHEZ of California, Mr. SALAZAR, Ms. ED-WARDS of Maryland, Messrs. McDERMOTT, FATTAH, LANGEVIN, SARBANES, Ms. CORRINE BROWN of Florida, Ms. PINGREE of Maine. CLEAVER and CUMMINGS Messrs. changed their vote from "vea" "nay."

Ms. GIFFORDS, Messrs. GINGREY of Georgia. BURGESS. POSEY. Mrs. KIRKPATRICK of Arizona and Mr. McMAHON changed their vote from "nay" to "yea."

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF CONFEREES ON H.R. 2918, LEGISLATIVE BRANCH APPROPRIATIONS ACT, 2010

The SPEAKER pro tempore. Without objection, the Chair appoints the following conferees:

Ms. Wasserman Schultz, Mr. Honda, Ms. McCollum, Messrs. Ryan of Ohio, Ruppersberger. Rodriguez. OBEY. ADERHOLT, LATOURETTE, COLE, and LEWIS of California.

REPORT ON RESOLUTION PRO-VIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. PERLMUTTER, from the Committee on Rules, submitted a privileged report (Rept. No. 111-264) on the resolution (H. Res. 766) providing for consideration of motions to suspend the rules, which was referred to the House Calendar and ordered to be printed.

#### EASTERN EUROPEAN ALLY, POLAND

(Mr. QUIGLEY asked and was given permission to address the House for 1 minute.)

Mr. QUIGLEY. Madam Speaker, last week marked the 70th anniversary of the attack on Poland, helping to launch the Second World War.

Last week was also marked by an announcement that the administration plans to scrap a planned missile defense system in Poland and the Czech Republic and refocus its missile defense program on protecting against short-range Iranian missiles.

This realignment of priorities reflects the new threats we face. However, as we shift our focus, we must not forget the vital role played by our European ally, Poland. Poland has always stood by the United States with support dating back to the Revolutionary War where Polish heroes like Casimir Pulaski fought to help America achieve independence.

Poland unilaterally repealed the visa requirement for United States citizens traveling to Poland. Indeed, Poland has always stood by us. Though I would like to say we have returned that favor, unfortunately, we have not.